

Fill in this information to identify the case:

Debtor 1 Alvin Eugene Musser

Debtor 2 Sandra June Musser
(Spouse, if filing)

United States Bankruptcy Court for the: Southern District of Indiana
(State)

Case number 16-08588-JMC-13

Form 4100R

Response to Notice of Final Cure Payment

10/15

According to Bankruptcy Rule 3002.1(g), the creditor responds to the trustee's notice of final cure payment.

Part 1: Mortgage Information

Name of creditor: U.S. Bank Trust National Association,
as Trustee of BKPL-EG Holding Trust Court claim no. (if known): 13-1

Last 4 digits of any number you use to identify the debtor's account: 7 3 1 3

Property address: 160 E. Stone Bluff Road
Number Street

Veedersburg IN 47987
City State ZIP Code

Part 2: Prepetition Default Payments

Check one:

- ☒ Creditor agrees that the debtor(s) have paid in full the amount required to cure the prepetition default on the creditor's claim.
- ☐ Creditor disagrees that the debtor(s) have paid in full the amount required to cure the prepetition default on the creditor's claim. Creditor asserts that the total prepetition amount remaining unpaid as of the date of this response is: \$ _____

Part 3: Postpetition Mortgage Payment

Check one:

- ☒ Creditor states that the debtor(s) are current with all postpetition payments consistent with § 1322(b)(5) of the Bankruptcy Code, including all fees, charges, expenses, escrow, and costs.

The next postpetition payment from the debtor(s) is due on: 12 / 01 / 2021
MM / DD / YYYY

- ☐ Creditor states that the debtor(s) are not current on all postpetition payments consistent with § 1322(b)(5) of the Bankruptcy Code, including all fees, charges, expenses, escrow, and costs.

Creditor asserts that the total amount remaining unpaid as of the date of this response is:

- a. Total postpetition ongoing payments due: (a) \$ _____
- b. Total fees, charges, expenses, escrow, and costs outstanding: + (b) \$ _____
- c. **Total.** Add lines a and b. (c) \$ _____

Creditor asserts that the debtor(s) are contractually obligated for the postpetition payment(s) that first became due on:

____ / ____ / ____
MM / DD / YYYY

Debtor 1 Alvin Eugene Musser
First Name Middle Name Last Name

Case number (if known) 16-08588-JMC-13

Part 4: Itemized Payment History

If the creditor disagrees in Part 2 that the prepetition arrearage has been paid in full or states in Part 3 that the debtor(s) are not current with all postpetition payments, including all fees, charges, expenses, escrow, and costs, the creditor must attach an itemized payment history disclosing the following amounts from the date of the bankruptcy filing through the date of this response:

- ☐ all payments received;
- ☐ all fees, costs, escrow, and expenses assessed to the mortgage; and
- ☐ all amounts the creditor contends remain unpaid.

Part 5: Sign Here

The person completing this response must sign it. The response must be filed as a supplement to the creditor's proof of claim.

Check the appropriate box::

- ☐ I am the creditor.
- ☒ I am the creditor's authorized agent.

I declare under penalty of perjury that the information provided in this response is true and correct to the best of my knowledge, information, and reasonable belief.

Sign and print your name and your title, if any, and state your address and telephone number if different from the notice address listed on the proof of claim to which this response applies.

X /s/ Molly Slutsky Simons
Signature

Date 11 / 24 / 2021

Print Molly Slutsky Simons
First Name Middle Name Last Name

Title Attorney for Creditor

Company Sottile and Barile, Attorneys at Law

If different from the notice address listed on the proof of claim to which this response applies:

Address 394 Wards Corner Road, Suite 180
Number Street

Loveland OH 45140
City State ZIP Code

Contact phone (513) 444 - 4100

Email bankruptcy@sottileandbarile.com



Rushmore Loan Management Services
P.O. Box 55004
Irvine, CA 92619
888-504-6700 | www.rushmorelm.com

November 24, 2021

Sandra J Musser
Alvin E Musser
160 E Stone Bluff Rd
Veedersburg, IN 47987 0000
*

Loan No: [REDACTED]
Loan Type: [REDACTED]
Noteholder: [REDACTED]

Property Address:
160 E Stone Bluff Rd
Veedersburg IN 47987

Vanshree Kadam
Internal Use

PAYOFF STATEMENT

ONLY CERTIFIED FUNDS WILL BE ACCEPTED FOR THE PAYOFF SHOWN BELOW.

These figures are good to November 24, 2021. (the "Good-Through Date")
This loan is due for the December 01, 2021 payment.

The current total unpaid Principal Balance is:	\$	65,791.31
Unpaid Interest Due at Payoff	\$	336.84
Unpaid Late Charges	\$	5.00
Recoverable Corporate Advances	\$	41.00
Deferred Interest	\$.00
Recon/Recording Fee	\$	43.00
Prop Inspection	\$	16.50
Deferred Interest	\$.00
Short Interest	\$.00
* * * * TOTAL AMOUNT TO PAY LOAN IN FULL * * * * *	\$	66,233.65

2nd Principal Balance	\$.00
Deferred Interest Balance	\$.00

The total unpaid Principal Balance includes the 2nd Principal Balance, Deferred Interest Balance, Principal Reduction Amount (HAMP incentive) and/or a Forbearance Amount.



Loan No: [REDACTED]
Property Address:
160 E Stone Bluff Rd
Veedersburg IN 47987

If the loan is less than 30 days past due the Principal Reduction Amount is deducted from the total amount due.

Funds received on or after November 24, 2021 will require an additional \$ 14.65 interest per Day.

Payoff funds being sent by mail must be directed to:

Rushmore Loan Management Services LLC
Attn: Payoff Department
15480 Laguna Canyon Road Suite 100
Irvine, CA 92618

These figures are subject to final verification by the Noteholder. Figures may be adjusted if any check/money order previously received is rejected by the institution upon which it was drawn.

The escrow balance is subject to audit and may change due to receipts and/or disbursements from the account prior to payment in full. The current escrow balance of \$ 488.36 will be refunded upon receipt of the release from the current Noteholder.

Any amounts included in the Estimated Fees and Costs section of this letter anticipate certain actions we must take before the Good-Through Date pursuant to our rights and duties under the Loan Documents. These Estimated Fees and Costs are expenses related to the servicing of your loan we have already incurred but not yet received an invoice for or for which we anticipate incurring on or before the Good-Through Date. There may be additional fees incurred for which you are responsible that are unknown as of the date of this letter and which are not included above. Estimated Fees and Costs may include, but are not limited to, expenses for items such as escrow advances for property taxes, insurance, legal fees and costs, or other advances necessary and permissible under the Loan Documents. You do not have to pay for any fees or costs not incurred by the time your full payment is received. In the event you submit a payment for more than the total amount owed at the time the payment is received, we will refund you the difference.



Rushmore Loan Management Services
PO Box 55004
Irvine, CA 92619
888-504-6700 | www.rushmorelm.com

Loan No: [REDACTED]
Property Address:
160 E Stone Bluff Rd
Veedersburg IN 47987

Issuance of this statement does not suspend the contract requirement to make the mortgage payments when due. A late charge of \$ 5.00 will be assessed 15 days after a current payment is due and should be added to the payoff total if received after that time. All past due amounts are included in the above figures.

If this property is sold, please provide the seller's forwarding address.

PAYOFF DEPARTMENT

[REDACTED]

RUSHMORE LOAN MANAGEMENT SERVICES LLC

WIRING INSTRUCTIONS

Please wire funds to:

Institution: Wells Fargo

ABA Routing Number: Bank [REDACTED]

Account Number: [REDACTED]

Reference: Loan Number
Borrower Name

Attn: Cashiering Department
Beneficiary: Rushmore Loan Management LLC
15480 Laguna Canyon Road
Suite 100
Irvine, CA 92618

Customer Care: 888-504-6700

ADDITIONAL NOTICES

Rushmore Loan Management Services LLC is a Debt Collector attempting to collect a debt.

Bankruptcy Notice. If you are in bankruptcy or if your obligation to repay this loan was discharged in bankruptcy, this informational notice is sent to you in order to comply with statutory requirements. It is not an attempt to collect a debt. You may disregard information relating to payment remittance. You are not obligated to make payments and any amount(s) you do pay Rushmore is at your discretion. Please note, however, Rushmore reserves the right to exercise its legal rights, including but not limited to foreclosure of its lien interest, only against the property securing the original obligation.

If you have any other mortgage loans secured by the same property not serviced by Rushmore, please contact your other servicer directly to discuss any possible loss mitigation options that may be available to you.

If you are a confirmed Successor-in-Interest who has not assumed the mortgage loan obligation under State Law, this letter is being sent for information purposes only and does not constitute personal liability with respect to the debt.

LEGAL NOTIFICATION: Rushmore Loan Management Services LLC may report information about your account to credit bureaus. Late payments, missed payments or other defaults on your account may be reflected in your credit report.

Notice of Error Resolution & Information Request Procedures

The following outlines the Error Resolution and Information Request Procedures for your mortgage account at Rushmore Loan Management Services LLC (RLMS). Please keep this document for your records.

If you think an error has occurred on your mortgage account or if you need specific information about the servicing of your loan, please write us at:

Rushmore Loan Management Services LLC

P.O. Box 52262

Irvine, California 92619-2262

All written requests for information or notices of error should contain the following information:

1. Your name
2. Account number
3. Property Address
4. Description of the error and explanation as to why you believe it is an error or a request for specific information regarding the servicing of your loan
5. Current contact information so we may follow up with you

All written requests for specific information will be handled within 30 days of receipt. We will determine whether an error occurred within 30 days after receiving your notice of error and will correct any error promptly (Notices of error on payoff statements will be handled within 7 days). If additional time is needed to investigate your complaint or request, we may take up to 45 days but we will notify you of the extension within the original 30 days. If we decide that there was no error, we will send you a written explanation. You may ask for copies of the documents that we used in our investigation.

HUD STATEMENT

Pursuant to section 169 of the Housing and Community Development Act of 1987, you may have the opportunity to receive counseling from various local agencies regarding the retention of your home. You may obtain a list of the HUD approved housing counseling agencies by calling the HUD nationwide toll free telephone at 1-800-569-4287.

Equal Credit Opportunity Act Disclosure

NOTICE: The federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided the applicant has the capacity to enter into a binding contract); because all or part of the applicant's income derives from any public assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The federal agency that administers compliance with this law concerning this creditor is the Bureau of Consumer Financial Protection, 1700 G Street NW, Washington, DC 20552 or Federal Trade Commission, Equal Credit Opportunity, Washington, DC 20580.

STATE SPECIFIC NOTICES

The following notice applies to Arkansas residents only:

Please note that Rushmore Loan Management Services LLC is licensed in Arkansas and that complaints about Rushmore Loan Management Services LLC may be submitted to the Arkansas Securities Department via the Department's website (<http://www.securities.arkansas.gov/>) or toll-free 1-800-981-4429.

The following notice applies to California residents only:

The state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8:00 a.m. or after 9:00 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP (382-4357) or www.ftc.gov.

The following notice applies to Colorado residents only:

Please note: A consumer has the right to request in writing that a debt collector or collection agency cease further communication with the consumer. A written request to cease communication will not prohibit the debt collector or collection agency from taking any other action authorized by law to collect the debt.

FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE www.coag.gov/car.

Please be advised that you can reach the Colorado Foreclosure Hotline at 1-877-601-HOPE (601-4673).

Local Rushmore Loan Management Services LLC Agent for Colorado Residents:

Irvin Borenstein
7200 S. Alton Way, #B180
Centennial, CO 80112
303-309-3839

The following notice applies to Hawaii residents only:

Rushmore is licensed by the Division of Financial Institutions for the State of Hawaii. A borrower may file a complaint about Rushmore Loan Management Services with the Commissioner:

Division of Financial Institutions
Department of Commerce and Consumer Affairs
King Kalakaua Building
335 Merchant Street, Rm. 221
Honolulu, HI 96813

If you believe your loss mitigation option request has been wrongly denied, you may file a complaint with the state division of financial institutions at 808-586-2820 or dfi@dcca.hawaii.gov.

The following notice applies to Massachusetts residents only:

Notice of IMPORTANT RIGHTS: You have the right to make a written or oral request that telephone calls regarding your debt not be made to you at your place of employment. Any such oral request will be valid for only ten (10) days unless you provide written confirmation of the request postmarked or delivered within seven (7) days of such request. You may terminate this request by writing to the creditor.

The following notice applies to North Carolina residents only:

If you believe the loss mitigation request has been wrongly denied, you may file a complaint with the North Carolina Office of the Commissioner of Banks website, www.nccob.gov.

RUSHMORE LOAN MANAGEMENT SERVICES LLC Branch Addresses:

California Branch: 15480 Laguna Canyon Road, Suite 100, Irvine CA 92618

Texas Branch: 1755 Wittington Place, Suite 400, Dallas TX 75234

Oklahoma Branch: 2000 North Classen Blvd, Suite N3400, Oklahoma City, OK 73106

Collection Agency

CA Office License Number: **103651**

TX Office License Number: **112248**

OK Office License Number: **113559**

The following notice applies to New York residents only:

NOTICE PURSUANT TO NEW YORK STATE BANKING REGULATION 419

Rushmore is registered with the Superintendent of Banks for the State of New York. A borrower may file a complaint about Rushmore Loan Management Services with the New York State Department of Financial Services. A borrower may obtain further information from the New York State Department of Financial Services by calling the Department's Consumer Assistance Unit at 1-800-342-3736 or by visiting the Department's website at www.dfs.ny.gov.

If you believe the loss mitigation request has been wrongly denied, you may file a complaint with the New York State Department of Financial Services at 1-800-342-3736 or www.dfs.ny.gov.

NMLS Unique ID Number 185729

Please be advised that calls regarding your property insurance requirements may be answered by Southwest Business Corporation, a third party insurance producer and tracking services provider.

You may request to receive communications from Rushmore in an alternative format, which may include large print, Braille, or audio. To make this request, please contact Rushmore at (888) 504-6700.

The following notice applies to Texas residents only:

COMPLAINTS REGARDING THE SERVICING OF YOUR MORTGAGE SHOULD BE SENT TO THE DEPARTMENT OF SAVINGS AND MORTGAGE LENDING, 2601 NORTH LAMAR, SUITE 201, AUSTIN, TX 78705. A TOLL-FREE CONSUMER HOTLINE IS AVAILABLE AT 877-276-5550.

A complaint form and instructions may be downloaded and printed from the Department's website located at www.sml.texas.gov or obtained from the department upon request by mail at the address above, by telephone at its toll-free consumer hotline listed above, or by email at smlinfo@sml.texas.gov.

The following notice applies to Oregon residents only:

Pursuant to Oregon Revised Statutes 86A.324, the Director of the Department of Consumer and Business Services prescribed by law and pursuant to FSR 25-2020: Borrowers: The Oregon Division of Financial Regulation (DFR) oversees residential mortgage loan servicers who are responsible for servicing residential mortgage loans in connection with real property located in Oregon and persons required to have a license to service residential mortgage loans in this state. If you have questions regarding your residential mortgage loan, contact your servicer at 888-504-6700. To file a complaint about unlawful conduct by an Oregon licensee or a person required to have an Oregon license, call DFR at 888-877-4894 or visit dfr.oregon.gov.

The following notice applies to Pennsylvania residents only:

The lender shall retain a security interest in the residential real estate unless and until the debt is fully satisfied and the security interest is released.

The following notice applies to Wisconsin residents only:

This collection agency is licensed by the Division of Banking in the Wisconsin Department of Financial Institutions,
www.wdfi.org.

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

In Re:

Case No. 16-08588-JMC-13

Alvin Eugene Musser
Sandra June Musser

Chapter 13

Debtors.

Judge James M. Carr

ADDENDUM TO RESPONSE TO NOTICE OF FINAL CURE PAYMENT

Date last payment received on the mortgage:	11/2/2021
Date next post-petition payment due:	12/1/2021
Amount of the next post-petition payment:	\$ 609.47
Unpaid principal of the loan:	\$ 65,791.31
Additional amounts due for any deferred or accrued interest:	\$ 336.84
Balance of the escrow account:	\$ 488.36
Balance of unapplied funds or funds held in suspense account:	\$ -

Respectfully Submitted,

/s/ Molly Slutsky Simons

Molly Slutsky Simons (OH 0083702)
Sottile & Barile, Attorneys at Law
394 Wards Corner Road, Suite 180
Loveland, OH 45140
Phone: 513.444.4100
Email: bankruptcy@sottileandbarile.com
Attorney for Creditor

CERTIFICATE OF SERVICE

I certify that on November 24, 2021, a copy of the foregoing Response to Notice of Final Cure Payment was filed electronically. Notice of this filing will be sent to the following party/parties through the Court's ECF System. Party/parties may access this filing through the Court's system:

Jerry L Paeth, Debtors' Counsel
jerry@legalcliniccofjerrypaeth.com

John Morgan Hauber, Chapter 13 Trustee
ecfmail@hauber13.com

Office of the U.S. Trustee
ustpreion10.in.ecf@usdoj.gov

I further certify that on November 24, 2021, a copy of the foregoing Response to Notice of Final Cure Payment was mailed by first-class U.S. Mail, postage prepaid and properly addressed to the following:

Alvin Eugene Musser, Debtor
160 E Stone Bluff Rd
Veedersburg, IN 47987-8440

Sandra June Musser, Debtor
160 E Stone Bluff Rd
Veedersburg, IN 47987-8440

/s/ Molly Slutsky Simons

Molly Slutsky Simons (OH 0083702)
Attorney for Creditor